

BEFORE THE  
***Federal Communications Commission***  
Washington, DC 20554

JAN 12 1994

In re applications of	)	MM Docket No. 93-241
	)	
<b>DARRELL BRYAN</b>	)	File No. BPH-920109MA
	)	
<b>SBH PROPERTIES, INC.</b>	)	File No. BPH-920123MD
	)	
For a Construction Permit	)	
for a New FM Station on	)	
Channel 276A (107.3 MHz)	)	
in Tusculum, Tennessee	)	

To: The Hon. John M. Frysiak  
Administrative Law Judge

**DIRECT CASE HEARING EXHIBITS OF DARRELL BRYAN**

Respectfully submitted,

By: J. Richard Carr  
J. Richard Carr, Esq.  
P.O. Box 70725  
Chevy Chase, MD 20813-0725

By: Richard J. Hayes, Jr.  
Richard J. Hayes, Jr., Esq.  
13809 Black Meadow Road  
Spotsylvania, VA 22553

January 26, 1994

**DARRELL BRYAN**  
**HEARING EXHIBITS**  
**INDEX**

- Exhibit 1:     Standard Integration Statement ("SIS")**
- Exhibit 2:     Ownership and Control**
- Exhibit 3:     Integration Proposal**
- Exhibit 4:     Diversification of Ownership of Mass Media**
- Exhibit 5:     Auxiliary Power Proposal**



BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON D.C. 20554

In re Applications of	)	
	)	
DARRELL BRYAN	)	File No. BPH-920109MA
	)	
SBH PROPERTIES, INC.	)	File No. BPH-920123MD
	)	
	)	MM Docket No. 93-241
For Construction Permit for a	)	
New FM Station on Channel 276A in	)	
Tusculum, Tennessee	)	

TO: Honorable Joseph Stirmer  
Chief Administrative Law Judge

INTEGRATION & DIVERSIFICATION STATEMENT OF DARRELL BRYAN

Comes now, Darrell Bryan, with his Integration and Diversification Statement in connection with the above-captioned proceeding. This Integration and Diversification Statement is submitted pursuant to the Commission's Rules and Regulations and is offered in response to the "Hearing Designation Order," in the above-captioned proceeding, released August 31, 1993 in MM Docket No. 93-241.

Federal Communications Commission	
Docket No. <u>93-241</u>	Exhibit No. <u>1</u>
Presented by <u>Bryan</u>	
Disposition	Identified <u>72654</u>
	Received _____
	Rejected _____
Reporter <u>Jeffrey M. Yustice</u>	
Date <u>1/20/94</u>	

A) Ownership Structure of the Applicant

Darrell Bryan is an individual applicant for FM Channel 276A at Tusculum, Tennessee. No one other than Mr. Bryan has any interest in or connection with this application.

B) Ownership Percentage of Darrell Bryan

Darrell Bryan owns 100% of the applicant for Channel 276A at Tusculum, Tennessee. Mr. Bryan controls all of the affairs of the applicant.

C) Integration Proposal

Darrell Bryan is an individual applicant and intends to operate the proposed Tusculum, Tennessee facility as a sole proprietor. In the event of a grant of his application, through comparative hearing, Mr. Bryan intends to function as the station's general manager on a full-time (40 or more hours per week) basis. As the general manager of the new FM facility, Mr. Bryan will be responsible for the formulation of all station policies including, but not limited to, the overall management of the radio station, programming, news, sales, public affairs and all hiring and firing. Mr. Bryan will oversee all of the construction details of the radio station and will be actively involved on a day-to-day basis, with developing the station's entertainment and news programming and will be responsible for ascertaining all the needs and interests of the Tusculum community. Mr. Bryan will be in complete control of all of the station's operations and all department heads, if any, will answer directly to him. In summary, Mr.

Bryan will perform all of those duties commonly associated with those of a general manager in the radio broadcasting industry.

Darrell Bryan is a white male. He is a long-time local resident and currently resides within the primary service contour of the proposed facility on Channel 276A at Tusculum, Tennessee. Darrell Bryan owns 100% of the common voting stock of Burley Broadcasters, Inc., licensee of Radio Station WSMG-AM, Greeneville, Tennessee.

In the event Mr. Bryan is awarded the construction permit for Channel 276A at Tusculum, Tennessee, through comparative hearing, Mr. Bryan will divest all of his interests in and connections with Radio Station WSMG-AM and will resign as that station's general manager. Mr. Bryan will, upon the grant of a construction permit, through comparative hearing, commence to function as the new station's general manager on a full-time (40 or more hours per week) basis. If Mr. Bryan should have any other outside employment interests at the time his application is granted, through comparative hearing, Mr. Bryan will resign any and all of those activities in order to fully implement his integration proposal as the new station's general manager on a full-time (40 or more hours per week) basis.

D) Other Media Interests

Darrell Bryan has no other interest in or connection with any medium of mass communication other than the instant application for Channel 276A at Tusculum, Tennessee. As indicated above, Mr. Bryan owns 100% of the common voting stock of Burley Broadcasters, Inc., licensee of Radio Station WSMG-

AM, Greeneville, Tennessee. Mr. Bryan, as indicated, intends to divest of this ownership interest and intends to sever all of his ties and connections with both the radio station and Burley Broadcasters, Inc. in the event his application is granted, through comparative hearing.

Otherwise, Mr. Bryan has no other interests in or connections with any other broadcast property or application, newspaper or cable TV company.

E) Credit for Minority or Female Ownership

Darrell Bryan is a white male. He will not seek comparative enhancement credit for any minority preference in this proceeding.

F) Local Residency and Civic Involvement

Darrell Bryan resides at 1204 Christy Court, Greeneville, Tennessee 37743. Mr. Bryan has resided at this address from 1986 to the present day. Prior to living at Christy Court in Greeneville, Tennessee, Mr. Bryan resided at 1203 Rambling Court, Greeneville, Tennessee 37743. Mr. Bryan resided at that address from 1982 to 1986. Mr. Bryan's address is within the primary service contour of the proposed new FM facility on Channel 276A at Tusculum, Tennessee. Accordingly, Mr. Bryan will claim credit for his long-time local residency within the service area of the proposed station.

Mr. Bryan has been extensively involved in civic activities throughout the proposed service area of the new FM station at Tusculum, Tennessee. Mr. Bryan was the chairman of the "Keep Greene Clean" Committee, a program of Keep America Beautiful, Inc. As chairman of the



committee, he helped set up bylaws, committees, initiated certification processees for Greene County, hired coordinators, developed plans for work, fund raising activities and overall funding. These activities, from 1985 to 1989, also included attending seminars in North Carolina. It took approximately one year of bi-weekly meetings to set up the program. The program continues today to function as an arm of the Greene County Chamber of Commerce and the City and County governments.

From 1985 to 1990, Mr. Bryan served on the Board of Directors of the Chamber of Commerce. He served as that organization's business development vice president from 1985 to 1988. He was responsible for retail business, agriculture, tourism, "Keep Greene Clean" and the personnel committee.

From 1988 to 1989, Mr. Bryan was the president of Greene County's Chamber of Commerce. He helped to recruit over 100 new members that year and hired new chamber staff. From 1989 through 1990, Mr. Bryan was the public affairs vice president of the Chamber of Commerce for Greeneville, Tusculum, Baileton and Mosheim. He was responsible for initiating meetings of government officials from those towns for the purpose of sharing ideas to make the county a better place in which to live and for arranging plans for legislative breakfasts for communities that featured House of Representatives and Senators representing the Greene County area.

From 1989 to 1990, Mr. Bryan was the chairman of the Retail Recruitment Committee for the Chamber of Commerce and initiated committees for the chamber that drew people from all types of businesses for the purpose of

adopting a plan to recruit businesses to the area to improve the retail climate.

From 1985 to the present date, Mr. Bryan has served as the chairman of the Greene County Fall Fest. This annual event brings 15,000 to 20,000 people together for a weekend of crafts, music, dancing, dining and other activities, netting over \$50,000 for Chamber of Commerce projects. The event serves to highlight the entire county for tourists.

From 1982 to 1983, Mr. Bryan served as the chairman of the Greene County March of Dimes and helped with fund raising promotions, raising over \$50,000 for the association.

From 1983 to 1985, Darrell Bryan helped create a positive environment with students and businesses in Greene County through his association with the Board of the Vocational Technical High School.

From 1986 to 1989, Mr. Bryan was a member of the Finance Committee of the First Baptist Church and the chairman of its Finance Committee from 1988 through 1989. From 1987 through 1988, Mr. Bryan served as chairman of the Long Range Planning Committee of the First Baptist Church and did research in Greene County to find out about growth potential, programs needed and overall needs of the community for the purpose of making plans for the church's future growth and expansion.

From 1987 through 1990, Darrell Bryan was a member of the Board of

Directors of the Greene County YMCA and helped with membership drives, public relations and goal setting for the association.

During 1991, Mr. Bryan was a member of the Board of Directors of the Junior Achievement Association of Greene County. This program is designed to help teach high school students about the free enterprise system and how to adapt to it after graduation.

From 1990 through 1991, Darrell Bryan was a member of the Tusculum College Pioneer Club. The purpose of this club is to recruit members to support Tusculum College as they rebuild their facilities and to stimulate interest and support in the college by the surrounding communities.

Mr. Bryan has coached the local Little League baseball teams since 1989. He was a member of the Greene County Jaycees until 1990 and in 1986 was named as an outstanding young man in America for his variety of civic activities.

Accordingly, Darrell Bryan will claim credit for his extensive civic involvement in the community of license and the service area of the proposed new FM station at Tusculum, Tennessee.

G) Past Broadcast Experience

Darrell Bryan has extensive, past broadcast experience. From June, 1969 through March, 1971, Mr. Bryan was an announcer at Radio Station WEZK-FM, in Knoxville, Tennessee. From June, 1971 through 1973, Mr. Bryan served as an announcer at Radio Station WSKT, Knoxville, Tennessee. From September,

1973 through December, 1976, Darrell Bryan was an announcer and program director at Radio Station WSMG-AM, Greeneville, Tennessee. From December, 1976 through March, 1978, Mr. Bryan was the Manager of Radio Station WSBM, Jefferson City, Tennessee, where he put a new station on the air, hired the staff, programmed the station, served as an announcer and sold radio advertising. In April, 1978, Mr. Bryan became the operations manager in charge of the staff, programming, news and sales at Radio Station WAZI-FM, Morristown, Tennessee. Mr. Bryan held this position through April, 1981. From May, 1981, Mr. Bryan has been the general manager and 20% partner of WSMG, Burley Broadcasters, Inc., licensee of Radio Station WSMG-AM, Greeneville, Tennessee. As managing partner, Mr. Bryan was solely responsible for the station's hiring and for the station's programming and sales. On March 2, 1989, Mr. Bryan became the 100% owner of Burley Broadcasters, Inc., licensee of Radio Station WSMG-AM, and continues to serve as that station's general manager, involved on a full-time (40 or more hours per week) basis and continues to oversee all of the station's activities on a daily basis.

Accordingly, Darrell Bryan will seek to obtain enhancement credit for his application, on a comparative basis, for his extensive broadcast experience.

H) Daytimer Preference

Darrell Bryan will not seek to claim any comparative preference for owning an AM day-time radio station.

I) Other Matters

Darrell Bryan proposes to operate the Tusculum, Tennessee, FM facility on a full-time basis. The station will broadcast 24 hours per day, seven days per week. The station will, however, as required, leave the air for maintenance purposes only.

The applicant proposes to install standby emergency power generation equipment at both the studio and transmitter sites in order to insure uninterrupted communications with the community in the event of a power outage.

If awarded the construction permit for the new FM station at Tusculum, Tennessee, through comparative hearing, Darrell Bryan pledges to own and operate the facility for a period of no less than three years. Should the Commission award a preference for such a pledge, Darrell Bryan intends to claim that preference as an enhancement to his application.

Respectfully submitted,

Darrell Bryan  
Individual Applicant

By: Darrell Bryan  
Darrell Bryan

By: Richard J. Hayes, Jr.  
Richard J. Hayes, Jr., Esq.  
His Attorney

August 5, 1993

Richard J. Hayes, Jr.  
Attorney at Law  
13809 Black Meadow Road  
Spotsylvania, VA 22553

CERTIFICATE OF SERVICE

I, Richard J. Hayes, Jr., hereby certify that copies of the foregoing were sent via first class mail, postage prepaid, or as otherwise indicated, to each of the following, on this 13th day of September, 1993:


Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Honorable John M. Frysiak  
Federal Communications Commission  
2000 L Street, N. W.  
Washington, D.C. 20554

Charles Dziedzic, Esquire  
Chief, Hearing Branch  
Enforcement Division  
Federal Communications Commission  
2025 M Street, N.W., Suite 7212  
Washington, D.C. 20554

Timothy K. Brady, Esquire  
P. O. Box 986  
Brentwood, Tennessee 37027  
Counsel to SBH Properties, Inc.

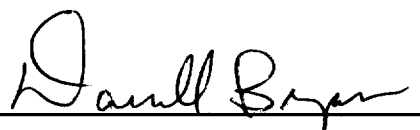
Chief, Data Management Services  
Audio Services Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W., Room 350  
Washington, D.C. 20554

  
\_\_\_\_\_  
Richard J. Hayes, Jr., Esq.

# DECLARATION

I, Darrell Bryan, state under penalty of perjury that:

1. I have reviewed the foregoing Bryan Exhibit No. 1, which is the Standard Integration Statement previously filed in this proceeding.
2. The referenced exhibit is true and correct to the best of my knowledge and belief.

A handwritten signature in cursive script, reading "Darrell Bryan", is written over a horizontal line.

Darrell Bryan

January 45, 1994





OWNERSHIP AND CONTROL

Darrell Bryan has applied for a construction permit for a new FM Broadcast Station on Channel 276A at Tusculum, Tennessee, in his own name as an individual applicant.

DECLARATION

I, Darrell Bryan, state under penalty of perjury that:

1. I have reviewed the foregoing Bryan Exhibit No. 2 entitled "Ownership and Control" which consists of my direct testimony in this proceeding.
2. The referenced exhibit is true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Darrell Bryan

January 25, 1994

Federal Communications Commission

Packet No. 93-241 Exhibit No. 2

Presented by Bryan

Disposition { Identified ✓ 7-26-44  
Received \_\_\_\_\_  
Rejected \_\_\_\_\_

Reporter Jeffrey M. Yeater

Date 7/26/44

1. The first of these is the fact that the  
2. evidence is not sufficient to establish  
3. the guilt of the accused. The evidence  
4. is not sufficient to establish the guilt  
5. of the accused. The evidence is not  
6. sufficient to establish the guilt of the  
7. accused. The evidence is not sufficient  
8. to establish the guilt of the accused.  
9. The evidence is not sufficient to  
10. establish the guilt of the accused.

INTEGRATION PROPOSAL

A. Quantitative

In the event that Darrell Bryan's application is granted, he will work full-time (forty or more hours per week) as General Manager of the proposed Tusculum station. In that capacity, he will be responsible for supervising and setting policy for all areas of station operations, including financial management and planning, personnel matters, programming, and sales. Mr. Bryan will be responsible for the formulation of all station policies including, but not limited to, the overall management of the radio station, programming, news, sales, public affairs, and all hiring and firing.

Darrell Bryan owns 100% of the common voting stock of Burley Broadcasters, Inc. licensee of Radio Station WSMG-AM, Greeneville, Tennessee. In the event Mr. Bryan is awarded the construction permit for Channel 276A at Tusculum, Tennessee, through comparative hearing, Mr. Bryan will divest all of his interests in and connection with Radio Station WSMG-AM and will resign as that station's general manager. Mr. Bryan will, upon the grant of a construction permit, through comparative hearing, commence to function as the new station's general manager on a full-time (40 or more hours per week) basis. If Mr. Bryan should have any other outside employment interests at the time his application is granted, through comparative hearing, Mr. Bryan will resign any and all of those activities in order to fully implement his integration proposal as the new station's general manager on a full time (40 or more hours per week) basis.

Federal Communications Commission

Docket No. 93-241 Exhibit No. 3

Presented by Bryan

Disposition 

{	Identified	<input checked="" type="checkbox"/> <u>726 74</u>
	Received	<input type="checkbox"/>
	Rejected	<input type="checkbox"/>

Reporter Jeffrey M. Yeater

Date 7/26/94

**B. Qualitative**

**1. Local Residence**

Darrell Bryan claims qualitative enhancement credit for long-term residence within the service area of the proposed station since 1982.

Darrell Bryan resides at 1204 Christy Court, Greeneville, Tennessee 37743. Mr. Bryan has resided at this address from 1986 to the present day. Prior to living at Christy Court in Greeneville, Tennessee, Mr. Bryan resided at 1203 Rambling Court, Greeneville, Tennessee 37743. Mr. Bryan resided at that address from 1982 to 1986. All of Mr. Bryan's foregoing addresses are within the primary service contour (3.16 mV/m) of the proposed new FM facility on Channel 276A at Tusculum, Tennessee. Greeneville and Tusculum, Tennessee are both located in Greene County and are immediately adjacent to one another.

**2. Civic Participation**

Darrell Bryan claims qualitative enhancement credit for participation in the following civic activities conducted within and involving organizations within the primary service contour of the proposed station:

**Keep Greene Clean Committee**, a program of Keep America Beautiful, Inc. As chairman of the committee, helped set up by-laws, committees, initiated certification process for Greene County, hired coordinator, developed plan of work, fund raising activities and over-all funding. From 1985 to 1989 attended seminars in North Carolina. It took about a year of bi-weekly meetings to set up the program. The program continues today to function as arm of the Greene County Chamber of Commerce and the city and county governments. Met 2-3 hours weekly for

6 month period, then once monthly for a total of four years. Participated in 3-hour Workshops annually for 3 years, attended 2-day seminar in North Carolina one year). A total of 200 hours was spent on this activity.

**Chamber of Commerce Board of Directors 1985-1990.**

Served as Business Development Vice President from 1985 to 1988. Responsible for Retail Business, Agriculture, Tourism, Keep Greene Clean and the Personnel committees. As a Board Member, met once monthly for six years. A total of 75 hours was spent on activities as a Board Member.

As Business Development VP, and as President attended monthly executive meetings averaging 2 hours per month for six years. A total of 144 hours was spent at Executive Meetings as Business Development VP and President. As Business Development Vice President, attended Retail Meetings quarterly for two years for average of 2 hours each, for a total of 16 hours.

As Member of Agriculture Committee attended monthly meeting for 4 years that averaged 1 to 1 1/2 hours each, and assisted in committee work for such activities as Dairy Days. A total of 48 hours was spent on Agriculture Committee activities.

Tourism Council - spent 15 hours on coordinating organization of Tourism Council and use of motel tax locally to fund tourism. A total of 15 hours was spent on Tourism Council activities.

Personnel Committee - Met quarterly for three hours for 3 years. A total of 36 hours was spent on this activity.

**President of Greene County Chamber of Commerce** from 1988 to 1989 - Helped to recruit over 100 new members that year and hired new Chamber staff. Spent at least 5 hours weekly year of presidency, working with local staff and volunteer leaders planning and implementing work of Chamber and membership recruitment. A total of 260 hours was spent on this activity.

Public Affairs Vice President of Chamber 1989-1990 - Was responsible for initiating meetings of government officials from Greeneville, Tusculum, Baileyton and Mosheim for the purpose of sharing ideas to make the county a better place in which to live and for arranging plans for Legislative Breakfast for community that featured House of Representative and Senator that represents Greene County. A total of 25 hours was spent on this activity.

Chairman of Retail Recruitment Committee for Chamber 1989-90 - Initiated committee for chamber that drew people from all types of businesses, from retail to industrial, together to adopt a plan to recruit businesses to this area to improve retail climate. A total of 25 hours was spent meeting with volunteers and working on this project.



**Chairman of Greene County Fall Fest from 1985 through the present** - This annual event brings 15,000 to 20,000 people together for a weekend of crafts, music, dancing, good food and more, netting over \$50,000 for Chamber of Commerce projects. The event serves to highlight the entire county for tourists. Serving as Chairman of Fall Fest requires at least 50 hours per year - being present during the two-date event, meeting with volunteers, hundreds of phone calls from vendors, planning, etc.. A total of 350 hours was spent on this activity since 1985.

**Chairman of Greene County March of Dimes from 1982 to 1983.** Helped with fund raising promotions, raising over \$50,000 for the association. A total of 25 hours was spent on this activity.

**Board of Vocational Technical School 1983-1985** - Helped to create a positive environment with students and businesses in Greene County. This group met six times each year for a period of 2-3 hours and then extra time for committee work - 10 hours committee work. A total of 30 hours was spent on this activity.

**First Baptist Church** - Member of Finance Committee from 1986-89 and chairman of finance committee 1988-89. As a member spent 1-2 hours monthly, attending meetings and 6-8 weeks prior to budget, met weekly for 2 hours each time. As Chairman of this Committee, spent additional hour each month in preparation with church minister and secretary. A total of 100 hours was spent on the Finance Committee activities.

1987-88 served as chairman of Long Range Planning Committee of First Baptist Church - did research on Greene County to find out about growth potential, programs needed and overall needs of community for purpose of making plans for the church's future growth and expansion. Met weekly and bi-weekly for average of 1/2 to 2 hours for 1 1/2 years. A total of 140 hours was spent on the Long Range Planning Committee activities.

**Greene County YMCA Board member 1987-90** - Helped with membership drive, public relations, goal setting, etc. A total of about 25 hours was spent at meetings and calling on potential members.

**Junior Achievement of Greene County** - Currently Member of 1991 Board of Junior Achievement for Greene County - this is a program to help teach high school students about the free enterprise system and how to adapt after graduating. A total of about 5 hours was spent attending meetings on this project.

**Member of 1990-91 Tusculum College Pioneer Club** - Purpose of club is to recruit members to support Tusculum College as they rebuild and to create interest and support of the college in the surrounding communities. A total of 20 hours was spent meeting with group and then visiting potential members.